

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
RAS Crane, LLC 10700 Abbott's Bridge Road, Suite 170 Duluth, GA 30097 Telephone Number 470-321-7112 Attorneys for Secured Creditor U.S. ROF III Legal Title Trust 2015-1, By U.S. Bank National Association, As Legal Title Trustee Laura Eggerman, Esq. (LE-8250)	CASE NO.: 18-28018-VFP CHAPTER 13 Objection to Confirmation of Debtor's Chapter 13 Plan
In Re: Carl A Powell, Sr. and Michelle A. Finney-Powell aka Michelle A Powell, Debtors.	

OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN

U.S. ROF III Legal Title Trust 2015-1, By U.S. Bank National Association, As Legal Title Trustee ("Secured Creditor"), by and through its undersigned counsel, objects to confirmation of Debtor's Chapter 13 Plan (DE # 12), and states as follows:

1. Debtors, Carl A Powell, Sr., ("Debtor") and Michelle A. Finney-Powell ("Joint Debtor"), filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on September 8, 2018.
2. Secured Creditor holds a security interest in the Debtor's real property located at 82 N 16th Street, East Orange, NJ 07017, by virtue of a Mortgage recorded on March 16, 2006 in Book 11136, at Page 509 of the Public Records of Essex County, NJ. Said Mortgage secures a Note in the amount of \$212,000.00.
3. The Debtor filed a Chapter 13 Plan on September 23, 2018.
4. The Plan fails to include treatment of Secured Creditor's claim. The subject property and claim are, however, listed in Debtor's schedules. Secured Creditor objects to the Plan and seeks clarification as to Debtor's intentions in regard to the subject property and claim.

5. The Plan does not appear feasible due to inadequate treatment of Secured Creditor's claim. Thus, the plan violates the provisions of 11 U.S.C. § 1325(a)(3) and cannot be confirmed.

WHEREFORE, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny confirmation of Debtor's Plan, and for such other and further relief as the Court may deem just and proper.

RAS Crane, LLC
Attorney for Secured Creditor
10700 Abbott's Bridge Road, Suite 170
Duluth, GA 30097
Telephone Number 470-321-7112

By: /s/Laura Eggerman
Laura Eggerman, Esquire
NJ Bar Number LE-8250
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CERTIFICATION OF SERVICE

1. I, Laura Eggerman, represent U.S. ROF III Legal Title Trust 2015-1, By U.S. Bank National Association, As Legal Title Trustee in this matter.
2. On 10/1/2018, I caused a copy of the following pleadings and/or documents to be sent to the parties listed in the chart below.
3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

10/1/2018

RAS Crane, LLC
Attorney for Secured Creditor
10700 Abbott's Bridge Road, Suite 170
Duluth, GA 30097
Telephone Number 470-321-7112

By: /s/Laura Eggerman
Laura Eggerman, Esquire
NJ Bar Number LE-8250
Email: legerman@rasnj.com

<u>Name and Address of Party Served</u>	<u>Relationship of Party to the Case</u>	<u>Mode of Service</u>
Herbert B. Raymond 7 Glenwood Ave Suite #408 4th Floor East Orange, NJ 07017	Attorney for Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)
Carl A Powell, Sr 717 Watchung Avenue Plainfield, NJ 07060	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)
Michelle A. Finney-Powell 717 Watchung Avenue Plainfield, NJ 07060	Joint Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)
Marie-Ann Greenberg Chapter 13 Standing Trustee 30 Two Bridges Rd Suite 330 Fairfield, NJ 07004	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)
U.S. Trustee US Dept of Justice Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102	U.S. Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other <hr/> (as authorized by the court*)